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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/781,713	02/20/2004	Bum-Jin Jung	P2443US00	4166

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EXAMINER
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RUSSELL, WANDA Z

ART UNIT	PAPER NUMBER
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2416

NOTIFICATION DATE	DELIVERY MODE
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12/10/2008

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

PATENT@PARK-LAW.COM

<b>Office Action Summary</b>	<b>Application No.</b> 10/781,713	<b>Applicant(s)</b> JUNG, BUM-JIN	
	<b>Examiner</b> WANDA Z. RUSSELL	<b>Art Unit</b> 2416	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 03 September 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. **Claims 1, 3-5, 7-9, 11-13, 15, and 16** are rejected under 35 U.S.C. 102(b) as being anticipated by Kelts (Pub No. US 2002/0112237 A1).

For **claim 1**, Kelts teaches a mobile communication terminal (802-Fig. 8), comprising:

a contents receiver (WAP browser, 806-Fig. 8, and [0151], last 7 lines) to receive moving image contents (movies, 402-Fig. 4. Note that Fig. 4 is an interface display system such as a web browser which is in Fig. 8. See [0070], lines 8-9. WAP is a web browser. See [0147], lines 4-5) from a contents service server (804-Fig. 8);

a contents reproduction unit (interface display, 400-Fig. 4) to reproduce the moving image contents (movies, 402-Fig. 4) received from the contents receiver (browser, 806-Fig. 8);

a contents output unit (interface display, 400-Fig. 4) to convert the reproduced moving image contents into a user-recognizable signal (for the end user to view, [0047], lines 1-3); and

a moving image preview processor (browser, 806-Fig. 8) to receive moving image file information for the moving image contents (movies, 402-Fig. 4) from the

contents service server (804-Fig. 8), to transmit a moving image preview request (2500-Fig. 25, and [0248], lines 1-7. Note that Fig. 25 describes a map system which is showed in Fig. 4. See bottom of Fig. 4) for the moving image contents to the contents service server (804-Fig. 8), the moving image preview request (map system request, [0248], line 1) including information about a preview image type (map items, [0248], lines 10-11) determined based on the moving image file information (URL, [0248], line 8), and then to receive a preview image (412-Fig. 4) for previewing the moving image contents.

For **claim 3**, Kelts teaches the apparatus as set forth in claim 1, wherein the preview image includes a plurality of still images which are part of the moving image contents ([0095], line 4. In this paragraph, video is a moving image, and image is a still image).

For **claim 4**, Kelts teaches the apparatus as set forth in claim 1, wherein the preview image is a moving image having a predetermined running time which is a part of the moving image contents ([0049], 6<sup>th</sup>-7<sup>th</sup> line from the end).

For **claim 5**, Kelts teaches a wireless communication system (Fig. 8), comprising:

a contents service server (804-Fig. 8) to provide moving image contents (402-Fig. 4), a preview image (412-Fig. 4) for the moving image contents and moving image file information (map item information area -Fig. 4) for the moving image contents; and

a mobile communication terminal (802-Fig. 8) to transmit a moving image preview request (2500-Fig. 25, and [0248], lines 1-7. Note that Fig. 25 describes a map

system which is showed in Fig. 4. See bottom of Fig. 4), including information about a preview image type (map items, [0248], lines 10-11) determined based on the moving image file information (URL, [0248], line 8) from the contents service server to receive the preview image (412-Fig. 4) for previewing the moving image contents.

For **claims 7 and 8**, they are system claims corresponding to claims 4, and 3 respectively, therefore they are rejected for the same reason above.

For **claims 9, 11, and 12**, they are method for reviewing a moving image claims corresponding to claims 1, 4, and 3 respectively, therefore they are rejected for the same reason above.

For **claims 13, 15, and 16**, they are contents servicing method claims corresponding to claims 1, 4, and 3 respectively, therefore they are rejected for the same reason above.

### ***Claim Rejections - 35 USC § 103***

3. **Claims 2, 6, 10, and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelts (Pub No. US 2002/0112237 A1), in view of Pea et al. (Pub No. US 2004/0125148).

For **claim 2**, Kelts substantially teaches everything claimed as applied above (see claim 1). However, Kelts fails to specifically teach the apparatus as set forth in claim 1, wherein the moving image file information includes a size or a compression ratio of the moving image contents.

Pea et al. teach the apparatus as set forth in claim 1, wherein the moving image file information includes a size or a compression ratio ([0118], line 13, and lines 1-8 & 11-14) of the moving image contents.

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Kelts with Pea et al. to obtain the invention as specified, for providing the information of a flexible size or compression ratio of the image file, because video compression algorithms are a critical part of the overall video delivery picture. The algorithms used will play a key role in determining compression ratio, file size, and other parameters, picture quality, and compliance with industry standards.

For **claim 6**, it is a system claim corresponding to claim 2, therefore it is rejected for the same reason above.

For **claims 10, and 14**, they are method claims corresponding to claim 2, therefore it is rejected for the same reason above.

#### ***Response to Amendment***

4. Applicant's amendment filed 9/3/2008 has been received and considered.

#### ***Response to Arguments***

5. Applicant's arguments filed 9/3/2008 have been considered but they are not persuasive.

6. For claim 1, Applicant argues that the examiner relies upon the movies in region 420 shown in Kelts's Fig. 4 to disclose the "moving image contents", and when a map system request is received at a map server, the data transmitted is not a preview of a

movie listed in movie region 420. Thus, the map system request fails to disclose "a moving image preview request for the moving image contents .... the moving image preview request including information about a preview image type determined based on the moving image file information."

In response, the Examiner respectfully disagrees.

The 402 region in Fig. 4 by Kelts includes the movie region 420, news region 424, and sports region 426, etc. In a broad scope the news and sports, and the map system itself read movies.

Based on this concept, Kelts teaches a moving image preview request (2500-Fig. 25, and [0248], lines 1-7. Note that Fig. 25 describes a map system which is shown in Fig. 4. See bottom of Fig. 4) for the moving image contents to the contents service server (804-Fig. 8), the moving image preview request (map system request, [0248], line 1) including information about a preview image type (map items, [0248], lines 10-11) determined based on the moving image file information (URL, [0248], line 8), and then to receive a preview image (412-Fig. 4) for previewing the moving image contents.

The preview area 412 in Fig. 4 can be any of News, movies, and sports.

7. Applicant argues that for a proper obviousness rejection of claim 2, it is not sufficient for the examiner to merely identify design parameters of compression algorithms. Rather, the analysis must at least indicate why it would have been obvious for those design parameters listed in Pea to be received at a moving image preview processor from the contents service server. Simply because the design parameters

exist does not make it obvious to include these design parameters in the "information" recited in claim 1. The examiner has not set forth this requisite analysis.

In response, the Examiner respectfully disagrees.

The para. [0118] by Pea describes video compression algorithm, and it provides the information of a compression ratio, file size and other parameters. The motivation/suggestion was stated in last office action and for clarification, more details from the paragraph [0118] by Pea are added to claim 2 rejection.

8. Other independent claims have the same issues as discussed above.
9. Rejections of dependent claims remain effective. See details above.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to WANDA Z. RUSSELL whose telephone number is



(571)270-1796. The examiner can normally be reached on Monday-Thursday 9:00-6:00 EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Seema Rao can be reached on (571) 272-3174. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Kevin C. Harper/  
Primary Examiner, Art Unit 2416

/Wanda Z Russell/  
Examiner, Art Unit 2416